



Appeal Decision

Site visit made on 25 October 2022

by Helen Hockenhull BA (Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 November 2022

Appeal Ref: APP/J2373/W/22/3298734

Land at New Bonny Street and Central Drive, Blackpool, FY1 5DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule, 2, Part 16, Class A of the town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of Blackpool Council.
 - The application Ref 21/1060, dated 15 December 2021, was refused by notice dated 9 February 2022.
 - The development proposed is the installation of a 15-metre-high monopole with wraparound cabinet base, 3 no. additional equipment cabinets and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. The principle of development is established by the GPDO, and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard be had to the development plan. Nevertheless, Policies CS7, CS8, CS12, and CS20 of the Blackpool Local Plan Part 1: Core Strategy 2012-2037 and Policies LQ1, LQ2 and LQ15 of the Blackpool Local Plan 2001-2016, are material considerations as they relate to issues of siting, appearance and heritage.
4. The National Planning Policy Framework (the Framework) is also a material consideration and includes sections on supporting high quality communications and the conservation of designated heritage assets.

Main Issues

5. The main issues in this case are the effects of the siting and appearance of the proposed development on the character and appearance of the area, on the setting of the Grade I listed Blackpool Tower and other statutory and locally listed buildings, and on regeneration objectives.

Reasons

6. The appeal site lies on the corner of New Bonney Street and Central Drive within Blackpool Town Centre and in the Leisure Quarter as defined in Policy CS20 of the Core Strategy. The area is characterised to the east by commercial and retail uses with buildings ranging in height from 2, 3 and 4 storeys. To the west lies the Promenade and leisure attractions. To the south of the site is a toilet block, the coach station and Central Car Park. The Coral Island Amusement Arcade and the Grade I listed Blackpool Tower lie to the north.
7. The proposed mast would be sited in a relatively open area to the north of the car park and coach station. Whilst there are highway signs and streetlights in the vicinity, they are not of a comparable height to the appeal proposal. Having regard to the areas open character, the development would be highly visible in the street scene.
8. I note the appellant in the Statement of Case refers to street trees assisting to reduce the visual impact of the proposal. However, I observed on my site visit that there are no such trees near the site. Whilst telecommunications equipment of this type, designed to fit in with street furniture, is common in urban areas, in this instance, I consider that the proposal would, due to its siting, design and height, form an intrusive feature.
9. The appeal site is not located within a conservation area, but I am advised by the Council that it lies within the setting of the Town Centre Conservation Area. The proposal would also be in the setting of the Grade I listed Blackpool Tower to the north and to the south the Grade II listed King Edward VII picture house. It would also be in the setting of the locally listed King Edward VII apartment building and the building at 78 Bank Hey Street. The significance of these designated heritage assets within the context of this appeal, derives from their historic and architectural interest as well as their aesthetic contribution to the street scene with visitors being able to experience the historic core of the town.
10. Looking north from the appeal site, the proposal would be seen in a direct view of the Tower. I acknowledge that the Tower forms a dominant feature in the skyline of the town and is seen from a range of viewpoints and distances. Nevertheless, due to its location, the proposed mast would visually compete with this heritage asset, causing harm to its setting. The proposal would also be seen in the open views of the other statutory and locally listed heritage assets in the locality, causing harm to their setting and the historic townscape.
11. The appellant has taken a sequential approach to the selection of an appropriate location for the mast as outlined in the Framework. No mast or site sharing opportunities have been identified in the vicinity of the appeal site. Furthermore, the appellant indicates that no existing buildings or structures have been identified as suitable for the proposal, though specific evidence of which buildings have been considered has not been provided. This leaves the only option as a new ground-based installation. The appellant has outlined 4 other possible sites which were rejected for a range of reasons including proximity to residential properties or where the existing pavement would be too narrow.
12. I am advised that the Council, in discussions with the appellant, suggested other locations to the east of appeal site which would be likely to have less impact on the heritage assets, but I have no evidence that these have been

investigated and found to be unsuitable. I cannot therefore be certain that all potential options have been robustly assessed and that the appeal proposal represents the less harmful option.

13. Accordingly, I find that the proposed development would fail to preserve the setting of the Grade I listed Blackpool Tower and other nearby statutorily and locally listed heritage assets.
14. Having regard to the localised impact of the proposal on the significance of the heritage assets, I consider the harm to be less than substantial, but nevertheless of considerable importance and weight. Under such circumstances, paragraph 196 of the Framework advises such harm should be weighed against the public benefits of the proposal.
15. I recognise that the Framework supports advanced high quality and reliable communications infrastructure as essential for economic growth and social wellbeing. The proposal would bring improved digital connectivity to this part of the town centre benefiting those who live, work and visit the area. Nevertheless, I find that the public benefits of the proposal are not sufficient to outweigh the harm I have identified.
16. I acknowledge that the proposed development would be compliant with the guidelines published by the International Commission on Non-Ionising Radiation Protection (ICNIRP). This matter weighs neutrally and does not amount to a consideration in support of the appeal.
17. As I mentioned above, the appeal site is located within the defined Leisure Quarter and a Design Brief for this area have been adopted by the Council. The area also has planning permission for a major redevelopment scheme including a hotel, leisure facilities and car parking. Work had commenced at the time of my visit.
18. The appeal site is located within these proposals and would impact on the design strategy for the redevelopment area. In particular a 'wayfinding' building with a tall wayfinding feature is proposed in the vicinity of the proposed development to act as a visual link between the site and the town centre. The proposed mast, being a height of 15 metres would be likely to impact negatively on this feature, undermining its design philosophy and the regeneration objectives of the scheme.
19. Bringing the above together, I conclude that the siting and appearance of the proposal would have a harmful effect on the character and appearance of the area, on regeneration objectives, and on the setting of the Grade I listed Blackpool Tower and other statutory and locally listed buildings. The proposal would therefore fail to accord with the local and national planning policies set out earlier in this decision.

Conclusion

20. For the reasons set out above, and having had regard to all other matters raised, the appeal is dismissed.

Helen Hockenhull

INSPECTOR